

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

NOV 21 1995

Broadcast Services, Advanced Television Systems Fourth Further Notice of Proposes Rule Making and Third Notice of Inquiry } MM Docket No. 87-268; FCC 95-315

WASHINGTON COUNTY TELEVISION, INC. COMMENTS

I. Introduction

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Washington County Television, Inc. (WCTV), owns and operates **Low Power Television Stations K66EK** in Bartlesville, OK. and **K60EX** in Nowata, OK.. Both stations, in concert with many other Low Power broadcasters, have vested interest in the above-referenced proceeding.

Impact on low power broadcasters is not addressed in the above-referenced proceeding. Low power is not mentioned at all save for noting 1,648 such broadcasters exist. WCTV wishes to address the Commission on the impact of proposed ATV implementation on low power broadcasters.

WCTV wishes to address the issue of impact upon the public resulting from loss of low power broadcasters should implementation of ATV proceed as indicated in the above-referenced proceeding.

II. IMPACT UPON LOW POWER BROADCASTERS

It is believed by WCTV that low power broadcasters have a substantial stake in the future of free over-the-air broadcasting. Many low power television stations (LPTV) provide only minimal service to their coverage area. Many are substantially viewed and many are indistinguishable from their full power counterparts. If only one third of the LPTV licensee's fall into the latter categories that represents 549 viable entities that have been totally ignored in the above referenced proceeding.

LPTV's operating as commercial broadcasters, offering free programming, covering local events and addressing issues of local significance serve the public interest. These stations were generally built with the licensee's own dollars. They represent substantial investments in their community, offering employment, paying rent and utilities, purchasing goods and services. While this is no different than a full power station, as with the biblical

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widows mite, the investment and subsequent potential loss is significant to the LPTV operator. Full power stations are not in jeopardy while LPTV's are.

Allocation of a second 6 MHz channel to full power stations can have no other result than to force many LPTV stations off the air. Even if the LPTV stations were moved, the preeminent desire to "recover contiguous blocks of spectrum" would likely be their new channels. While full power stations are afforded a carrot and stick to migrate to a new channel and convert to digital, LPTV is totally ignored. A second channel for one full power station can potentially disrupt multiple LPTV stations.

WCTV, like other LPTV operators, has a substantial investment in its physical plant. Studio and production equipment can often be purchased from the used equipment market. Transmitters, transmission line and antenna's are a different matter. Little transmission equipment is available in the used equipment arena. Used 1 kiloWatt UHF transmitters sell quickly and thus currently maintain some value for the LPTV owner. Mass displacement of LPTV stations would immediately render our physical plants worthless!

### III. IMPACT UPON THE PUBLIC

Low power broadcasters serve the public in many of the same ways as full power stations. Unlike the full power operator, our overhead is often substantially less, affording the LPTV station the ability to air more local programming. WCTV offers up to 24 hours of local programming a week. LPTV stations often cover local events in their entirety instead of by 10 second sound byte. We can afford to make prime time available that would otherwise be impractical for a full power station or unaffordable to the programmer.

LPTV stations often enhance community awareness through programming impractical for full power stations. WCTV serves a number of small towns within 50 miles of a major city. WCTV viewers know more of events affecting their communities than does the populace of the major city. The full power stations attempt to serve but can do no better than an occasional showing during sweeps or when someone is murdered. Coverage of most everything else is left to the LPTV station.

Cable is often assumed to fill the roll of community television for the small town public. Not so! There is no enticement for a cable operator to offer anything more than minimal local television production. Consider a cable system with 10,000 subscribers, each paying \$15. to \$30. per month. No matter how many commercials sold on a local origination channel, it is small change compared to the monthly subscriber receipts. Unlike cable, LPTV stations derive the bulk of their income from sale of air time. Local programming sells and LPTV stations sell it!

Loss of LPTV stations due to implementation of ATV would deprive the public of local area programming. LPTV stations usually offer alternative programming the viewing public finds less offensive than available on mainstream networks. Loss of such alternative programming would not be in the public interest. There is no doubt that some LPTV stations can go black without notice. WCTV urges the Commission to recognize that many LPTV stations truly SERVE THE PUBLIC!

#### IV. CONCLUSION

Recovery of spectrum seems to have taken precedence over smooth transition to HDTV. The above referenced proceeding makes clear recovery of contiguous blocks of spectrum is paramount. WCTV respectfully submits this to be not in the public interest. No doubt spectrum will be available in the future if good engineering practices are applied to an orderly transition to the HDTV. Accelerating the time table, simply to recover spectrum, will cost the public far more than the auction of such spectrum will bring.

WCTV respectfully submits that all licensees of full power and LPTV stations be granted interim use of only such additional spectrum as may be required for full HDTV transmission. LPTV stations lack the resources to make the transition to HDTV on the same timetable as full power stations. Therefore, WCTV suggests that full power stations transition first over approximately 8 years. At the conclusion of the full power transition period, their NTSC analog programming would cease. LPTV stations would be allowed to "hold the fort" during the full power transition period by continuing with the NTSC analog format. Once full power stations have substantially transitioned, LPTV can follow.

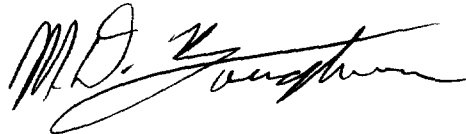
Properly orchestrated, such an approach would help build the LPTV service. As full power stations transitioned, viewers with NTSC sets would still have LPTV. Advertisers and programmers would increase spending with local LPTV stations resulting in the funding necessary to make the transition when their turn comes.

WCTV respectfully requests the Commission to recognize the value of LPTV stations and their commitment to the future of free over-the-air television service to the public. Implementation of the above referenced proceeding would mean the virtual elimination of the LPTV service. Millions of dollars worth of assets would be rendered worthless. The public would be deprived of thousands of hours of local programming of importance to them.

Respectfully submitted,

WASHINGTON COUNTY TELEVISION, INC.

By it President

A handwritten signature in black ink, appearing to read "M.D. Boughner", written in a cursive style.

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